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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JIA YUE,)
)
Defendant.)
)
)

No. CR-09-00917-VRW

~~PROPOSED~~ ORDER AND
STIPULATION EXCLUDING TIME
FROM JANUARY 7, 2010, TO JANUARY
26, 2010, FROM THE SPEEDY TRIAL
ACT CALCULATION (18 U.S.C. §
3161(h)(8)(A))

On January 7, 2010, a status conference was held before the Court and the parties stated that several discovery disputes existed. The Court ordered the defendant to file an appropriate discovery motion by January 12, 2010, and set a hearing on January 26, 2010.

With the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from January 7, 2010, through January 26, 2010.

The parties agree, and the Court finds and holds, as follows:

1. The defendant agrees to an exclusion of time under the Speedy Trial Act from

January 7, 2010, through January 26, 2010, based upon the need for effective preparation of counsel. The defendant agrees to this exclusion on the condition that his right to bring motions claiming Speedy Trial Act violations prior to January 7, 2010, shall remain preserved.

2. Counsel for the defendant believes that the exclusion of time is in her client's best interest.

3. Given these circumstances, the Court finds that the ends of justice served by excluding the period from January 7, 2010, through January 26, 2010, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

4. Accordingly, and with the consent of the defendant, the Court orders the period from January 7, 2010, through January 26, 2010, shall be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

STIPULATED:

DATED: __01/11/2010__

/s/

GALIA PHILLIPS
Attorney for Defendant

DATED: __01/11/2010__

/s/

AARON D. WEGNER
Assistant United States Attorney

IT IS SO ORDERED.

DATED: January 15, 2010

